

APR 01 2011

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE:	)	CHAPTER 7
	)	
MARCIA CHACON,	)	CASE NO. 11-53279-MHM
	)	
Debtor.	)	
	)	
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	)	
U.S. BANK, N.A. FOR ITSELF,	)	
ITS SUCCESSORS IN INTEREST	)	
AND ASSIGNS,	)	
	)	
Movant,	)	
	)	
vs.	)	
	)	CONTESTED MATTER
MARCIA CHACON, and BARBARA	)	
B. STALZER, as Trustee,	)	
	)	
Respondents.	)	
	)	
	)	

ORDER


This matter arose upon the Motion for Relief From Stay of 11 U.S.C. § 362 filed by Movant, who contends it is the holder of a Deed to Secure Debt (hereinafter referred to as the "Security Deed"), encumbering certain property known as 178 Kettlewood Drive, Lilburn, GA 30047, as more particularly described in Exhibit "A" attached to the Motion (hereinafter referred to as the "Property"). Hearing before this Court was set for March 29, 2011, upon Notice of Assignment of Hearing to each of the above-captioned parties in interest. No opposition was presented by Debtor, Debtor's counsel, or Trustee; accordingly, it is hereby

ORDERED that the automatic stay of 11 U.S.C. Section 362 is

modified to allow Movant, to commence foreclosure proceeding against the Property pursuant to applicable state law, and to assert any or all of its respective rights under applicable state law as to the collateral; provided, however that all foreclosure sale proceeds which exceed Movant's lawful claim shall be remitted to the Trustee promptly.


ORDERED that relief granted herein shall not be stayed by BR 4001(a)(3).

IT IS SO ORDERED, this the 31<sup>st</sup> day of MARCH, 2011.

  
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MARGARET H. MURPHY  
UNITED STATES BANKRUPTCY JUDGE

PRESENTED BY:

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